United States District Court

EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

ORDER OF DETENTION PENDING REVOCATION

MICHAEL E. NAGEL

Case Number: 07-CR-212 Defendant

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(i), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending revocation in this case.

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	(1)	The defendant is charged with an offense described in 18 U.S.C. § $3142(f)(1)$ and has been convicted of a \Box federal offense \Box state or \Box local offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed that is
		□ a crime of violence as defined in 18 U.S.C. § 3156(a)(4).
		an offense for which the maximum sentence is life imprisonment or death.
		an offense for which a maximum term of imprisonment of ten years or more is prescribed in.
		a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C.§ 3142(f)(1)(A)-(C), or comparable state or local offenses.
	(2)	The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state or local offense.
	(3)	A period of not more than five years has elapsed since the \Box date of conviction \Box release of the defendant from imprisonment for the offense described in finding (1).
	(4)	Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an) other person(s) and the community. I further find that the defendant has not rebutted this presumption.
		Alternative Findings (A)
	(1)	There is probable cause to believe that the defendant has committed an offense
		☐ for which a maximum term of imprisonment of ten years or more is prescribed in .
	(2)	The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.
		Alternative Findings (B)
\boxtimes	(1)	There is a serious risk that the defendant will not appear.
\boxtimes	(2)	There is a serious risk that the defendant will endanger the safety of another person or the community.
con Acc	le on a cludes cording	Part II - Written Statement of Reasons for Detention If that the credible testimony and information submitted at the hearing establishes by clear and convincing evidence that the defendant supervised release for a federal offense, has violated the conditions of his release. Based on the information presented, this court that no condition or combination of conditions will assure the appearance of defendant and the safety of the community. gly, this court orders, this defendant, detained pursuant to 18 U.S.C. § 3142(i) pending his revocation hearing with United States adge J. P. Stadtmueller. Part III - Directions Regarding Detention
sha of a	lity se ll be at n attor	defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections parate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant forded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request mey for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for see of an appearance in connection with a court proceeding.
Dat	ed:	June 2, 2016 William E. Deffin
		William E. Duffin, U.S. Magistrate Judge Name and Title of Judicial Officer